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Attorneys for Plaintiffs
SPECS SURFACE NANO ANALYSIS GmbH
and SPECS SURFACE NANO ANALYSIS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In Re SPECS

Case No. CV 10-4250 JW

**SECOND STIPULATION AND
~~[PROPOSED]~~ ORDER TO CONTINUE
DEADLINE FOR SUBMISSION OF
JOINT LETTER BRIEF RE DISCOVERY
ISSUES**

Judge: Hon. Donna N. Ryu
Courtroom: 4, 3rd Floor (Oakland)
Complaint Filed: August 19, 2010

WHEREAS on April 2, 2012, SPECS Surface Nano Analysis GmbH (“SPECS GmbH”) and SPECS Surface Nano Analysis, Inc. (“SPECS Nano”) filed (1) a Motion for Protective Order and (2) a Motion to Compel Attendance of Defendants at Depositions, along with a Motion to Shorten Time, and noticed those motions for hearing before the Honorable James Ware;

WHEREAS on April 3, 2012, Judge Ware denied the motion to shorten time, and referred the discovery motions to this Court (Docket Nos. 56, 57);

WHEREAS that same day, this Court issued an order requiring that the parties comply

1 with the Court's standing order regarding the submission of a joint letter addressing discovery
2 disputes, and further ordered that any such letter relating to the previously filed motions should
3 be filed no later than Friday, April 13, 2012 (Docket No. 58);

4 WHEREAS, because of conflicts with other matters, including out-of-state travel and
5 pretrial filing deadlines in a matter before the Honorable Claudia Wilken, counsel for SPECS
6 GmbH and SPECS Nano met and conferred with counsel for Rickmer Kose and SPECS USA
7 Corp., and the parties agreed to extend the deadline for submission of the joint letter until
8 Wednesday, April 18, 2012, subject to approval of this Court;

9 WHEREAS, on April 10, 2012, the parties submitted a Stipulation and Proposed Order
10 seeking an extension of the deadline for the joint letter brief until April 18th (e-docket no. 60);

11 WHEREAS, on April 11, 2012, the Court granted that request and entered an order
12 setting the deadline for submission of the joint letter brief for April 18, 2012;

13 WHEREAS, the following day, on April 12, 2012, counsel for SPECS GMB and
14 SPECS Inc., Michael Lisi, learned that his father-in-law had passed away, and the services now
15 are scheduled such that Mr. Lisi will be out of town on April 17 and April 18;

16 WHEREAS, on April 13, 2012, upon learning of this issue, counsel for SPECS USA
17 and Kose graciously offered to extend the filing deadline to accommodate Mr. Lisi's family
18 issues; and

19 THEREFORE, the parties have now met and conferred and hereby stipulate, subject to
20 the approval of this Court, that the deadline for submission of the parties' joint letter brief shall
21 be continued to Friday, April 20, 2012; and that SPECS GmbH and SPECS Inc. will provide
22 their portions of the letter brief by the close of business on April 16, 2012, while SPECS USA
23 and Kose shall provide their portions of the letter brief by no later than 11 AM on Thursday,
24 April 19, 2012.

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1 Dated: April 16, 2012

KRIEG, KELLER, SLOAN, REILLEY & ROMAN LLP

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3 By: /s/ Michael D. Lisi
MICHAEL D. LISI
4 Attorneys for Plaintiffs and Counterdefendants
5 SPECS SURFACE NANO ANALYSIS GMBH
AND SPECS SURFACE NANO ANALYSIS, INC
6

7 Dated: April 16, 2012

NOSSAMAN LLP

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9 By: /s/ Chi Soo Kim
CHI SOO KIM
10 Attorneys for Defendants and Counter-claimaints
11 SPECS USA CORP. AND RICKMER KOSE
12

13 I hereby attest that I have been authorized by the above counsel to execute on their
14 behalf this Second Stipulation and [Proposed] Order to Continue Deadline for Submission of
15 Joint Letter Brief re Discovery Issues.

16 Executed on this 16th day of April, 2012, at San Francisco, California.

17 /s/
18 MICHAEL D. LISI
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21 **PURSUANT TO STIPULATION, IT IS SO ORDERED**

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23 Dated: April 16, 2012

24 THE HON. DONNA M. RYU
UNITED STATES DISTRICT JUDGE
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